

REMARKS

The Examiner is thanked for the Office Action of January 13, 2009. The Examiner rejected claims 1, 2, 5 and 7-9 under the 35 USC 101 standard reflected in *In re Bilski*. Claims 1, 2, 5, 7 and 9 have been substantially amended to better reflect aspects of the invention and to distinguish over the cited art in Perkes (US02-52788) which, it is believed, teaches a simple merchant-based exchange system.

Objections to the Specification

The Examiner pointed out errors in the specification. The specification is being revised for unclear terms as well as grammar mistakes and a substitute specification will be submitted subsequently to the response to the Office Action.

Rejection under 35 USC 101

Claims 2, 5, 7- 9 have been substantially amended to overcome the 101 rejection and they are now believed to be directed to statutory subject matter. Mainly, the claims have been amended to reflect the changes in the data in electronic storage and the executable instructions on computational devices that occur during implementation of the claimed invention in claims 2, 5, 7- 9.

Objection to Claim 1.

Claim 1 is directed to an aspect of the invention in which a first-party seller seeks to secure non-currency assets from a third-party securitor for transfer of the assets to a second-party buyer. The second-party buyer is not part of the claimed invention in that the invention, beyond a conditional precedent, as claimed in claim 1 is only for that portion of the computational system in which

the seller is secured with non-currency assets by the third party. It is believed that the amended claim now overcomes the object as well as the 101 rejection.

Rejection of Claim 1 under 35 USC 103

It is believed that the monetary (currency-based) prior art does not suggest the currency-free (now claimed as verification) securitization system of claim 1. The structural differences suggested by the Examiner have been added into the limitations of claim 1.

Rejection under 35 USC 102

Rejection of claims 2 and 5, 7-8

The Examiner's rejection of amended claim 2 and its dependents is misguided. Perkes teaches an **exchange**, (more like the invention of claim 1) however, claims 2 and 5-8 claim a method for developing an investment pool (in the "virtual personal economy"™ as described in the specification). Thus, the Examiner has disregarded the preamble as a limitation, when it is clearly meant as such.

However, the amended claim(s) clearly now teach aspects of the invention that are not suggested and/or obvious in view of the prior art.

Rejection of claims 9-26

Like claims 2 and 5 and 7-8, amended claim 9 (and its dependent claims in a continuing application) are directed to an investment system in which virtual personal economies™ (VPEs) may be verified and pooled so that the VPEs may attract further investment or be used to secure transactions. Perkes does not contemplate this limitation as it is a transaction system used to redeem media coupons for games or media. Thus, Perkes does not anticipate claim 9 (nor render the rest obvious) as it is directed to a transaction system, and does not contemplate investment pools of non-currency assets for trade with other non-currency assets.

Conclusion


It is now believed that the amended claims 1, 2, 5, 7-8 and 9 overcome the examiner's rejection, primarily because the references do not contemplate an investment pool (in the form of the VIRTUAL PERSONAL ECONOMIES™ (claims 2, 5, 7-8) and a system in which the assets in the VIRTUAL PERSONAL ECONOMY™ claims can be verified as non-currency assets and placed in the pool.

Should the Examiner wish to resolve any remaining issue of patentability, he is invited to contact the Applicant at the number listed below for an in-person or telephonic conference.

Please authorize a three-month extension to ensure the timely filing of this document, with authorization to charge the \$555 to deposit account 50-3068.

Respectfully Submitted

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